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Control: 15243

Rec'd: OCTOBER 23, 1959

3:25 PM

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FROM: BERLIN

TO: Secretary of State

NO: 406, OCTOBER 23, 2 PM

PRIORITY

SENT BONN 356 DEPARTMENT 406 REPEATED INFORMATION LONDON 116
PARIS 106 MOSCOW 131 POLAD USAREU 35

PARIS FOR EMBASSY AND CINCEUR THURSTON & FINN

LIMIT DISTRIBUTION

THIS IS PART ONE OF THREE-PART MESSAGE.

REF: OURTEL 346 TO BONN, 392 TO DEPT.

COMMANDANTS ACCOMPANIED BY DEPUTIES AND POLADS MET FOR FOUR
HOURS OCT 22 TO ATTEMPT TO RESOLVE ISSUES LEFT UNDECIDED BY
POLADS OCT 17. MAYORS BRANDT AND AMREHN ATTENDED FIRST
PART OF SESSION AND COMMANDANTS HEARD BRANDT GIVE NOT TOO STRONG
PRESENTATION HIS VIEWS ON VARIOUS QUESTIONS RELATING TO HANDLING
GDR FLAGS IF FLOWN WEST BERLIN NOVEMBER 6-7 (SEE PART TWO).

IN ADDITION BASIC DISAGREED ISSUES COMMANDANTS DISCUSSED OTHER
MATTERS ON WHICH SUBSTANTIAL AGREEMENT WAS REACHED (SEE PART
THREE).

GEN HAMLETT FORCEFULLY OUTLINED OUR POSITION AS FOLLOWS:

1. FLYING OF GDR FLAGS ON S-BAHN PROPERTY IN WEST BERLIN IS
MORE THAN DISTURBANCE OF LAW AND ORDER--IT IS DIRECT CHALLENGE
TO ALLIED SOVEREIGNTY IN WEST BERLIN.

2. ALLIED POSITION AND PRESTIGE VIS-A-VIS COMMUNISTS WOULD BE
SERIOUSLY IMPAIRED BY FAILURE TO LIVE UP TO COMMANDANT'S
OWN COMMITMENT TO PREVENT GDR INCURSION WEST
BERLIN

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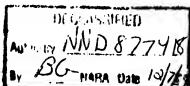
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BERLIN TERRITORY.

3. WE SHOULD EFFECT REMOVAL OF ALL FLAGS. ANY GDR FLAG, IRRESPECTIVE OF S-BAHN "ZONE" IN WHICH IT FLIES, REPRESENTS CHALLENGE TO OUR SOVEREIGNTY.
4. POLICE SHOULD BE COMMITTED IN SUFFICIENT FORCE TO INSURE SUCCESS OF OPERATION.
5. DURING POLICE ACTION ALLIED TROOPS ON ALERT SHOULD BE VISIBLY PRESENT IN VARIOUS PARTS OF CITY (NOT, HOWEVER, AT ACTUAL SCENE OF POLICE ACTIONS AS LIPSCHITZ SUGGESTED).
6. IF POLICE FIND THEMSELVES UNABLE TO HANDLE JOB, ALLIED TROOPS SHOULD COME TO THEIR ASSISTANCE. ALLIES CANNOT AFFORD ENTRUST SOLE DEFENSE OF ALLIED SOVEREIGNTY TO WEST BERLIN POLICE PARTICULARLY AS SERIOUS DOUBT EXISTS POLICE COULD BE RELIED ON TO DO THE JOB WITHOUT BEING ASSURED ALLIED FORCES STAND BEHIND THEM.
7. EVERY EFFORT SHOULD BE MADE TO AVOID BLOODSHED. FOR EXAMPLE, TEAR GAS AND FIRE HOSES WOULD BE EMPLOYED, AND FIREARMS USED ONLY IF OUR SIDE ABSOLUTELY PUSHED TO LIMIT.

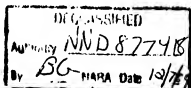
GEN HAMLETT URGED COMMANDANTS AGREE MAKE TRIPARTITE RECOMMENDATION TO GOVERNMENTS EMBODYING THESE POINTS.

BRITISH AND FRENCH COMMANDANTS AGREED MORE THAN LAW AND ORDER INVOLVED AND THAT SOME REPEAT SOME ACTION CALLED FOR. THEY WERE UNWILLING SPECIFY EXTENT OF THAT ACTION UNTIL MORE INFORMATION AVAILABLE ON A) INTENTIONS AND CAPABILITIES GDR B) CAPABILITIES WEST BERLIN POLICE, WITH AND WITHOUT ALLIED FORCES' ASSISTANCE AND C) EFFECTIVENESS WEST BERLIN POLICE PLAN. FRENCH IN PARTICULAR WERE INSISTENT THESE POINTS AND WE GAINED STRONG IMPRESSION THEY SERIOUSLY WORRIED LEST OTHER SIDE COMMIT REALLY LARGE NUMBERS OF HOODLUMS WHO MIGHT PROVE TOO MUCH FOR COMBINED POLICE AND ALLIED MILITARY TO HANDLE.

QUESTION OF MAKING ADVANCE COMMITMENT RE USE OF ALLIED FORCES DISCUSSED AT LENGTH BUT NO AGREED TRIPARTITE POSITION REACHED. BRITISH WERE PARTICULARLY RELUCTANT TO GO ALONG WITH ANY RECOMMENDATION RE USE OF ALLIED TROOPS. IN FACT BRITISH RELUCTANCE TO TAKE POSITION ON USE OF TROOPS AND REMOVING ALL REPEAT ALL FLAGS

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SEEMED BASED ON ABHORRENCE OF SITUATION THAT MIGHT RESULT IN SPILLING OF BLOOD. BRITISH POINTED OUT DISASTROUS CONSEQUENCES ALLIED PRESTIGE WORLD-WIDE IF BLOODY INCIDENTS AROSE OVER "MERE MATTER OF FLAGS", WHETHER INVOLVING WEST BERLIN POLICE OR ALLIED FORCES.

BRITISH NOT CONVINCED BY U.S. ARGUMENTS THAT A) EFFECTIVE ACTION IN ANY CONCEIVABLE CONTINGENCY COULD NOT BE GUARANTEED UNLESS AUTHORIZATION OBTAINED FOR USE OF ALLIED TROOPS IF SUCH BECAME NECESSARY AND B) BEST MEANS PREVENTING BLOODSHED WAS TO PREPARE FOR STRONG DECISIVE MEASURES WHICH IN THEMSELVES MIGHT DISSUADE OTHER SIDE FROM EMBARKING ON AGGRESSIVE ACTION. BRITISH ALSO UNCONVINCED BY U.S. ARGUMENT THAT DESPITE OUR DISTASTE FOR BLOODSHED, EVEN THIS UNFORTUNATE POSSIBILITY PREFERABLE TO POSITION WE WOULD BE IN IF WE FAILED TO TAKE FLAGS DOWN.

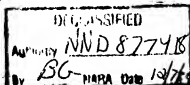
IN SHORT DESPITE AGREEMENT SOME KIND OF ACTION REQUIRED, TRIPARTITE POSITION OCT 22 BASICALLY NOT ADVANCED BEYOND THAT REACHED OCT 17. FRENCH, WHOSE ACTING COMMANDANT SAID HE PERSONALLY AGREED NECESSITY COMMITTING ALLIED TROOPS IF NECESSARY, APPARENTLY FAVOR LIMITED NUMBER OF FLAG-REMOVAL TARGETS BECAUSE THEY FEAR WE DO NOT HAVE CAPABILITY OF TACKLING MORE. BRITISH EVIDENTLY WANT FLAG REMOVAL OPERATION WITH ONLY SAFE TARGETS BECAUSE THEY WANT AVOID VIOLENCE. ONE BRITISH SUGGESTION, FOR EXAMPLE, IS THAT IF POLICE ENCOUNTER RESISTANCE THEY SHOULD WITHDRAW, AND THEN SEVERAL DAYS LATER POLICE SHOULD CUT S-BAHN-- WHICH ACT WOULD SERVE TO REESTABLISH FACT OF ALLIED SOVEREIGNTY OVER S-BAHN TERRAIN.

WITH RESPECT TO COMMIE INTENTIONS AND CAPABILITIES, CAPABILITIES ARE OF COURSE CONSIDERABLE BUT KEY TO PROBLEM IS INTENTIONS. OUR ANALYSIS OF INTENTIONS BEING REPORTED BY SEPARATE TELEGRAM THOSE QUALIFIED TO JUDGE ON AMERICAN SIDE HERE CONSIDER THAT WEST BERLIN POLICE, NUMBERING 13,000, HAVE CAPABILITY REMOVE ALL FLAGS FROM ALL THREE ZONES UNLESS OTHER SIDE IS PREPARED UNDERTAKE MAJOR OPERATION ENTAILING GRAVE RISKS WHICH WE SERIOUSLY DOUBT SOVIETS WOULD COUNTENANCE. (DURING WEEK OCT 11, 117 FLAGS WERE INVOLVED, OF WHICH TOTAL OF SIX WERE IN ZONE THREE).

REVISED LIPSCHITZ POLICE PLAN NOW BEING STUDIED ON PRIORITY BASIS BY ALLIED PUBLIC SAFETY AND MILITARY OFFICERS. FIRST GLANCE INDICATES GOOD MANY DEFICIENCIES BUT WE HAVE CONFIDENCE THEY CAN BE CORRECTED.

WE HAVE

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WE HAVE CONSIDERED HERE ADVANTAGES AND DISADVANTAGES UNILATERAL ACTION IN EVENT IMPOSSIBLE GET BRITISH AND FRENCH AGREE TO DECISIVE ACTION BUT CONCLUDE IMPORTANCE MAINTAINING ALLIED UNITY OUTWEIGH ALL OTHER CONSIDERATIONS.

DECISIONS NOW APPEAR TO BE UP TO GOVERNMENTS. DUE TO NECESSITY CLEAR CUT INSTRUCTIONS TO ALL THREE COMMANDANTS, RECOMMEND DEPT'S APPROACH TO BRITISH AND FRENCH BE MADE SOON AS POSSIBLE.

ASSUME ON BASIS PARA. 3 DEPTEL 199 THAT U.S. GOVERNMENT AGREES OUR POSITION RE USE OF TROOPS.

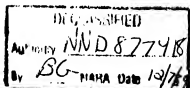
IN VIEW OF RESPONSIBILITIES OUTLINED EXECUTIVE ORDER 10608, MAY 5, 1955, USCOB REQUIRES INSTRUCTIONS THROUGH MILITARY CHANNELS RE EMPLOYMENT U.S. FORCES. HE THEREFORE REQUESTING INSTRUCTIONS.

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RV/21

Note: Advance copy to Mr. McFarland (GER) 5:50 p.m. EH

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OCTOBER 23, 1959

11:59 AM

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FROM: BERLIN

DEPARTMENT OF STATE

TO: Secretary of State

NO: 407, OCTOBER 23, 3 PM

P R I O R I T Y

SENT BONN 357, DEPARTMENT 407, REPEATED INFORMATION LONDON 117,
PARIS 107, MOSCOW 132, POLAD USAREUR 36.

PARIS FOR EMBASSY AND CINCEUR THURSTON AND FINN.

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PART TWO OF THREE-PART MESSAGE.

REFERENCE: OURTEL 356 TO BONN, 406 TO DEPARTMENT.

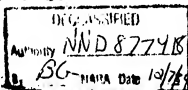
IN MEETING WITH COMMANDANTS OCT. 22 BRANDT MADE FOLLOWING POINTS:

1. BERLIN SENAT GRATIFIED BY CLEAR POSITION TAKEN BY COMMANDANTS
IN ASSERTING THEIR RESPONSIBILITY FOR WEST BERLIN WHICH HAD
CALMING EFFECT ON POPULATION.2. BRANDT BELIEVES COMMANDANTS SHOULD CONSIDER ADVISABILITY
OF ANOTHER ROACH TO SOV COMMANDANT BEFORE NOV. 7 RE-
EMPHASIZING THEIR POSITION ALLIED RESPONSIBILITY IN ALL OF
WESTERN BERLIN AND EXPRESSING SERIOUSNESS WITH WHICH THEY
REGARD EAST GERMAN PROVOCATIONS IN THAT AREA. AS POINT OF
DEPARTURE FOR SUCH APPROACH THE MIGHT INVITE SOV
COMMANDANT'S ATTENTION TO THREATENING TONE OF EAST GERMAN
PRESS ON FLAG ISSUE. (SEE FOR EXAMPLE OURTEL 349 TO BONN,
396 TO DEPT).

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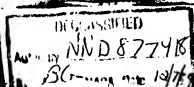
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3. BRANDT ESTIMATE IS SOVS MAY FIND IT EXPEDIENT TO EXERCISE MODERATING INFLUENCE ON EAST GERMANS AT THIS TIME ON THIS ISSUE.
4. FLAGS MUST BE REMOVED IF HOISTED AGAIN ON S-BAHN INSTALLATIONS ALTHOUGH MIGHT CONSIDER OMITTING "CERTAIN OBJECTIVES" (PRESUMABLY THOSE ZONE 3 INSTALLATIONS OMITTED IN LIPSCHITZ INITIAL PLAN).
5. ALLIES SHOULD EXPRESS SUPPORT OF REMOVAL ACTION IN TWO WAYS: (A) BY MAKING CLEAR THAT BERLIN POLICE ACTING ON ALLIED ORDERS; (B) BY AGREEING HAVE ALLIED MILITARY POLICE PATROLS IN VICINITY AS OBSERVERS.
6. SENAT CONSIDERING AND HOPES ALLIES ALSO CONSIDERING WHAT TO DO IF SOV FLAGS RATHER THAN GDR FLAGS HOISTED S-BAHN NOV. 6-7.
7. IRRESPECTIVE WHETHER FLAG INCIDENT OCCURS, FUTURE MISUSE BY COMMUNISTS OF S-BAHN TERRITORY FOR MILITARY OR PARA-MILITARY OPERATIONS MUST BE PREVENTED AND ALLIED AND WEST BERLIN AUTHORITIES MUST ALSO ADDRESS THEMSELVES TO THIS BROADER QUESTION.

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FROM: BERLIN

TO: Secretary of State

NO: 408, OCTOBER 23, 4 P.M.

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SENT PRIORITY BONN 358, DEPARTMENT 408, REPEATED INFORMATION
LONDON 118, PARIS 108, MOSCOW 133, POLAD USAREUR 37.

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PARIS FOR EMBASSY AND CINCEUR THURSTON AND FINN

PART THREE OF THREE-PART MESSAGE

REFERENCE: OURTEL 356 TO BONN, 406 TO DEPT

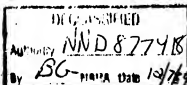
IN ADDITION TO SUBJECTS REPORTED REFTEL, COMMANDANTS
CONSIDERED FOLLOWING POINTS:1. COMMANDANTS AGREED NO RPT NO POLICE ACTION BE TAKEN
AGAINST TRAINS OR BARGES DISPLAYING GDR FLAG.A. SINCE TRAINS AND BARGES ARE MOVING OBJECTS ORIGINATING
AND TERMINATING IN SOVZONE THEIR DISPLAY OF FLAGS DOES NOT
POSE SAME CHALLENGE TO ALLIED SOVEREIGNTY IN WEST BERLIN AS
DO FLAGS ON BUILDINGS AND INSTALLATIONS LOCATED IN WEST
BERLIN.B. IN GENERAL USAGE, FLAG ON VESSEL FLOWN PRIMARILY FOR
PURPOSE IDENTIFICATION. FOR EXAMPLES HAMBURG PERMITS GDR
FLAGS TO FLY ON MERCHANT VESSELS BUT NOT ON BUILDINGS OR
INSTALLATIONS.

C. PRUDENT LEAVE GDR SMALL FACE-SAVING DEVICE.

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- D. EXTREMELY DIFFICULT REMOVE FLAGS FROM MOBILE CARRIERS.
2. COMMANDANTS CONSIDERED MOST UNLIKELY THE POSSIBILITY MENTIONED BY BRANDT THAT SOV FLAGS MIGHT BE FLOWN ON S-BAHN PROPERTY IN WEST BERLIN IN CONNECTION WITH NOVEMBER 7. IF SOV FLAGS FLOWN, COMMANDANTS AGREED TENTATIVELY NOT RPT NOT ORDER POLICE ACTION.
- A. FLYING OF SOV FLAGS WOULD BE ADMISSION OF DEFEAT BY OTHER SIDE, WOULD EXPOSE GDR AS PUPPET, AND WOULD AFFORD GOOD OPPORTUNITY FOR PROPAGANDA EXPLOITATION BY WEST.
- B. REACTION WEST BERLIN WOULD BE ONE OF RELIEF AND AMUSEMENT RATHER THAN INDIGNATION.
- C. COMMANDANTS THOUGHT, HOWEVER, THAT PROTEST THROUGH DIPLOMATIC CHANNELS MIGHT BE APPROPRIATE.
3. COMMANDANTS AGREED GOOD IDEA SEND WRITTEN REPLY TO SOV COMMANDANT'S NOTE OCT 14 (OURTEL 342 TO BONN, 384 TO DEPT), SOMETIME BEFORE NOV. 7, E.G., AROUND NOV 3, IN ORDER REJECT SOV CONTENTION THEY BEAR NO RESPONSIBILITY AND LEAVE NO DOUBT SOV MIND SERIOUSNESS WITH WHICH ALLIES WOULD VIEW REPETITION FLAG INCIDENT.
- A. ACTING FRENCH COMMANDANT HAD INSTRUCTIONS FROM PARIS THAT IN ABSENCE ALLIED AGREEMENT ON DEMARCHE MOSCOW, FRENCH COMMANDANT SHOULD STRONGLY URGE COMMANDANTS REPLY TO ZAKHAROV NOTE OF OCT 14.
- B. COMMANDANTS ASKED POLADS TO COMPOSE REPLY, TAKING INTO ACCOUNT INTER ALIA TEXT PROPOSED BY FRENCH AS WELL AS BRANDT SUGGESTIONS.
- C. AS FAR AS U.S. SIDE HERE CONCERNED, DESPATCH OF CONTEMPLATED REPLY TO SOV COMMANDANT CONTINGENT ON TRIPARTITE DECISION TAKE EFFECTIVE ACTION TO BACK IT UP.

LIGHTNER

JR

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